

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JEREMY J. QUINN,	:	
	:	Case No. 4:18-cv-2615
Plaintiff,	:	
	:	Judge Pearson
v.	:	
	:	Magistrate Judge Burke
MR. F. RETORT, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**NOTICE IN RESPONSE TO COURT ORDER [DOC. 11]**

On February 20, 2019, this Court issued an Order [Doc. #: 11] detailing options to resolve Plaintiff's pending Motion for Temporary Restraining Order and Preliminary Injunction. [Doc. #: 4]. The Court stated:

[T]he parties could (1) agree to an injunction that Defendants<sup>1</sup> and the Ohio Department of Rehabilitation & Correction ("ODRC") be enjoined from doing anything that interferes with the regular dispensing of food to Plaintiff and (2) forgo further litigation on that issue. . . . In the alternative, the motion shall come on for a full evidentiary hearing on Friday, February 22, 2019, at 9:00 a.m., in Courtroom 351 Federal Building – United States Courthouse, 125 Market Street, Youngstown, Ohio. Given the foundation already laid by the parties in the record, the hearing is limited to two (2) hours in duration.

[Doc. #: 11., PageID #: 112].

The State of Ohio intends to move forward in litigation and participate in the full evidentiary hearing on Friday, February 22, 2019, at 9:00 a.m. Consequently, the State of Ohio does not agree to an injunction enjoining Defendants and ODRC.

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<sup>1</sup> Defendants have not been served or entered an appearance in the present case. [Civil Docket]. The State of Ohio entered an appearance as an interested party. [Doc. #: 5]. An appearance by the State of Ohio does not waive proper service upon Defendants nor any of their defenses if they are properly served.

DAVE YOST  
Ohio Attorney General

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**CERTIFICATE OF SERVICE**

I certify that the foregoing *Notice in Response to Court Order* [Doc. #: 11] was filed via electronic transmission on February 20, 2019. A copy will be hand-delivered to Jeremy J. Quinn, #509-127, Ohio State Penitentiary, 878 Coitsville-Hubbard Road, Youngstown, Ohio 44505.

/s/Byron D. Turner  
BYRON D. TURNER  
Assistant Attorney General